

HOUSE BILL 438
By Bowers

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 29, relative to restoration of rights of citizenship.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-29-105, is amended by adding the following as a new, appropriately designated subsection:

(d) For all persons convicted of infamous crimes after July 1, 2003, the following procedures shall apply:

(1) A person rendered infamous or deprived of the rights of citizenship by the judgment of any state or federal court may have full rights of citizenship restored upon:

(A) Receiving a pardon, except where such pardon contains special conditions pertaining to the right of suffrage;

(B) Service or expiration of the maximum sentence imposed for any such infamous crime;

(C) Being granted final release from incarceration; or

(D) Being granted release from incarceration to probation, parole or similar release program.

(2) Any person eligible for restoration of citizenship pursuant to subdivision (d)(1) shall be issued a certificate of restoration upon a form prescribed by the coordinator of elections by:

(A) The pardoning authority; or

(B) An agent or officer of the supervising or incarcerating authority.

(3) Any person issued a certificate of restoration shall submit, to the administrator of elections of the county in which the person is eligible to vote, such certificate and upon verification of the same with the coordinator of elections, be issued a voter registration card entitling the person to vote; and

(4) A certificate of restoration issued pursuant to subdivision (d)(2) shall be sufficient proof to the administrator of elections that such person fulfills the above requirements. However, before allowing a person convicted of an infamous crime to become a registered voter, it is the duty of the administrator of elections in each county to verify with the coordinator of elections that such person is eligible to register under the provisions of this section.

(5) A person convicted of murder, rape, treason or voter fraud shall never be eligible to register and vote in this state.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.